

Lexington, Kentucky August 18, 2005

The Council of the Lexington-Fayette Urban County Government met in regular session on August 18, 2005 at 7:00 P.M. Present were Mayor Teresa Ann Isaac in the chair presiding, and the following members of the Council: Council Members Shafer, Stevens, Stinnett, Wigginton, Brown, DeCamp, Ellinger, Farmer, Gorton, Lane, McChord, Moloney, Myers and Scanlon. Absent was Council Member Cegelka.

The reading of the minutes of the previous meeting was waived.

Ordinances No. 182-2005 thru 221-2005 inclusive and Resolutions No. 360-2005 thru 406-2005 inclusive were reported as having been signed and published, and were ordered to record.

Lexington, Kentucky August 18, 2005

The Invocation was given by Reverend Gary Brooks, Hunter Presbyterian Church.

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The following ordinances were given second reading and passed by the following vote:

Aye: Shafer, Stevens, Stinnett, Wigginton, Brown, DeCamp, Ellinger,
Farmer, Gorton, Lane, McChord, Moloney, Myers, Scanlon ----- 14

Nay: ----- 0

An Ordinance amending certain of the Budgets of the Lexington-Fayette Urban County Government to reflect current requirements for municipal expenditures, and appropriating and reappropriating funds, FY 2005 Schedule No. 211.

An Ordinance amending certain of the Budgets of the Lexington-Fayette Urban County Government to reflect current requirements for municipal expenditures, and appropriating and reappropriating funds, Schedule No. 47.

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An Ordinance amending Ordinance No. 220-2005 to provide that the location of all Council Meetings, Work Sessions and Council Standing Committee Meetings scheduled to take place in Council Chambers through September 23, 2005, be held in the third floor conference room of the Phoenix Building, located at 101 East Vine Street was given first reading.

Upon motion of Mr. Brown and seconded by Mr. Myers, the rules were suspended by unanimous vote. The ordinance was given second reading and passed by the following vote:

Aye: Shafer, Stevens, Stinnett, Wigginton, Brown, DeCamp, Ellinger,
Farmer, Gorton, Lane, McChord, Moloney, Myers, Scanlon ----- 14

Nay: ----- 0

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The following ordinances were given first reading and ordered placed on file one week for public inspection.

An Ordinance changing the zone from a Two Family Residential (R-2) zone to a Professional Office (P-1) zone for 0.14 net (0.18 gross) acre of property located at 521-523 South Upper Street, subject to certain use restrictions imposed as a condition of granting the zone change. (Pegasus Holdings, LLC)

An Ordinance changing the zone from an Agricultural Rural (A-R) zone to a Light Industrial (I-1) zone for 5.44 net (5.78 gross) acres of property located at 5959 Athens-Boonesboro Road, subject to certain use, buffering, and landscaping restrictions imposed as a condition of granting the zone change. (Jim L. Williams and Frances L. Williams)

An Ordinance amending Section 23A-5(b)3 and (c)3 of the Zoning Ordinance so as to allow neighborhood clubhouses in the EAR-1, 2, and 3 zones when accessory to a principal permitted use.

An Ordinance authorizing the Mayor to accept a Grant from the Ky. Div. of Forestry, which grant funds are in the amount of \$20,000.00 Federal funds under the Urban and Community Forest Grant Program, are for continued employment of an Arborist Technician in the Div. of Streets, Roads and Forestry, the acceptance of which obligates the Urban County Government for the expenditure of \$20,000.00, appropriating funds pursuant to Schedule No. 49, and authorizing the Mayor to transfer unencumbered funds within the grant budget.

An Ordinance authorizing the Mayor to accept a Grant from the Ky. Justice and Public Safety Cabinet, which grant funds are in the amount of \$28,000.00 Commonwealth of Ky. funds from the Law Enforcement Service Fee Program, are for police officer overtime hours for a Traffic Alcohol Patrol, the acceptance of which does not obligate the Urban County Government for the expenditure of funds, appropriating funds pursuant to Schedule No. 50, and authorizing the Mayor to transfer unencumbered funds within the grant budget.

An Ordinance authorizing the Mayor to accept a Grant from the Ky. Justice and Public Safety Cabinet, which grant funds are in the amount of \$73,485.00 Federal funds, are for continuation of the Street Sales Drug Enforcement Project, the acceptance of which obligates the Urban County Government for the expenditure of \$24,500.00, appropriating funds pursuant to Schedule No. 51, and authorizing the Mayor to transfer unencumbered funds within the grant budget.

An Ordinance authorizing the Mayor to accept a Grant from the Ky. Transportation Cabinet, which grant funds are in the amount of \$128,000.00 Federal funds, are for the Traffic Signal Installation Project, the acceptance of which obligates

the Urban County Government for the expenditure of \$32,000.00, appropriating funds pursuant to Schedule No. 52, and authorizing the Mayor to transfer unencumbered funds within the grant budget.

An Ordinance authorizing the Mayor to accept a Grant from the U.S. Fish and Wildlife Service, which grant funds are in the amount of \$6,839.00 Federal funds, are for a North American Wetlands Conservation Act Program Project at Raven Run, the acceptance of which obligates the Urban County Government for the expenditure of \$6,900.00, appropriating funds pursuant to Schedule No. 53, and authorizing the Mayor to transfer unencumbered funds within the grant budget.

An Ordinance authorizing the Mayor to accept a Grant from the Ky. Heritage Council, which grant funds are in the amount of \$10,000.00 Federal funds, are for the Div. of Historic Preservation's Survey and Planning Project, the acceptance of which obligates the Urban County Government for the expenditure of \$6,670.00, appropriating funds pursuant to Schedule No. 55, and authorizing the Mayor to transfer unencumbered funds within the grant budget.

An Ordinance authorizing the Mayor to accept a Grant from the Ky. Office of Homeland Security, which grant funds are in the amount of \$840,000.00 Federal funds, are for enhancement of the interoperable communications systems in the Div. of Police, the acceptance of which does not obligate the Urban County Government for the expenditure of funds, appropriating funds pursuant to Schedule No. 56, and authorizing the Mayor to transfer unencumbered funds within the grant budget.

An Ordinance authorizing the Mayor to accept a Grant from the Ky. Office of Homeland Security, which grant funds are in the amount of \$200,000.00 Federal funds, are for enhancement of interoperable communications systems for the Fayette County Sheriff's Office, the acceptance of which does not obligate the Urban County Government for the expenditure of funds, appropriating funds pursuant to Schedule No. 57, and authorizing the Mayor to transfer unencumbered funds within the grant budget.

An Ordinance authorizing the Mayor to accept a Grant from the Ky. Office of Homeland Security, which grant funds are in the amount of \$296,772.00 Federal funds, are for the purchase of a CBRNE (Chemical, Biological, Radiological, Nuclear, and Explosive) incident response vehicle, the acceptance of which does not obligate the

Urban County Government for the expenditure of funds, appropriating funds pursuant to Schedule No. 58, and authorizing the Mayor to transfer unencumbered funds within the grant budget.

An Ordinance amending certain of the budgets of the Lexington-Fayette Urban County Government to reflect current requirements for municipal expenditures, and appropriating and re-appropriating funds, Schedule No. 48.

An Ordinance amending Section 21-5 of the Code of Ordinances creating one (1) position of Heavy Equipment Technician, Grade 113N within the Div. of Fire.

An Ordinance amending Section 21-5 of the Code of Ordinances creating two (2) positions of Nuisance Control Officer, Grade 111N, in the Div. of Code Enforcement.

An Ordinance amending Section 21-5 of the Code of Ordinances abolishing twenty-three (23) positions of Code Enforcement Officer, Grade 113N, creating twenty-three (23) positions of Building Inspector, Grade 113N and changing the titles of the incumbents, abolishing six (6) positions of Code Enforcement Officer Senior, Grade 114E, creating six (6) positions of Building Inspector Senior, Grade 114E and changing the titles of the incumbents, abolishing three (3) positions of Code Enforcement Supervisor, Grade 116E, creating three (3) positions of Building Inspection Supervisor, Grade 116E and changing the titles of the incumbents, all in the Div. of Building Inspection.

An Ordinance amending Section 21-35 of the Code of Ordinances modifying the list of immediate and extended family members for the purpose of Funeral Leave to include legal guardians, spouse's grandchildren, great grandparents, spouse's great grandparents, step grandparents, step great grandparents, and spouse's half siblings as immediate family members, and to allow one (1) day Funeral Leave for the death of an extended family member to include aunt, uncle, first cousin, niece or nephew.

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An Ordinance changing the zone from an Agricultural Urban (A-U) zone to a Planned Neighborhood Residential (R-3) zone for 6.26 net (6.36 gross) acres of property located at 2470 Liberty Road, subject to certain use restrictions imposed as a condition of granting the zone change (Joe Brester) was given first reading and ordered placed on file until September 22, 2005 at 8:00 p.m. for a Public Hearing.

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An Ordinance amending Section 23-5 of the Code of Ordinances creating twenty-one (21) positions of Police Officer, Grade 311N, in the Div. of Police, to be effective retroactive to July 11, 2005, and creating twenty-eight (28) positions of Police Officer, Grade 311N, in the Div. of Police, to be effective May 1, 2006 was on the docket for first reading.

Upon motion of Mr. Farmer, seconded by Ms. Shafer and passed by unanimous vote, the ordinance was amended to change the effective date for the hiring of twenty-eight (28) Police Officers from May 1, 2006 to February 6, 2006, and to include a budget amendment effecting fund balance in the amount of \$285,050.00, Schedule No. 66, to provide for the personnel costs.

An Ordinance amending Section 23-5 of the Code of Ordinances creating twenty-one (21) positions of Police Officer, Grade 311N, in the Div. of Police, to be effective retroactive to July 11, 2005, and creating twenty-eight (28) positions of Police Officer, Grade 311N, in the Div. of Police, to be effective February 6, 2006, and appropriating funds pursuant to FY2006 Schedule No. 66 was given first reading as amended and ordered placed on file one week for public inspection.

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An Ordinance amending Section 21-5 of the Code of Ordinances abolishing one (1) position of Social Services Coordinator, Grade 114E and creating one (1) position of Program Administrator, Grade 117E, and reclassifying the incumbent, in the Dept. of Social Services, to be effective retroactive to March 16, 2005, and appropriating funds pursuant to Schedule No. 54 was on the docket for first reading.

Upon motion of Mr. Myers, seconded by Mr. Wigginton and passed by majority vote, the ordinance was removed from the docket.

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A Resolution authorizing the Mayor to execute an Agreement with Ad-Success, for design and implementation of the Mobility Office marketing campaign, at a cost not to exceed \$40,400.00 in Surface Transportation Program – Lexington (SLX) funds was given second reading.

Mr. Wigginton requested additional information on the resolution.

Mr. Willy Fogle, Administrative Aide to Mayor, explained the resolution.

The resolution was ordered placed on file one week for public inspection.

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A Resolution approving the execution and delivery by the City of Versailles, Kentucky of its City of Versailles, Kentucky Educational Facilities Revenue Note (Providence Montessori School, Inc. Project), Series 2005 in an amount not to exceed \$1,400,000 (The “Note”), and the use of the proceeds thereof to assist Providence Montessori School, Inc. (The “School”) to (I) construct, install and equip a building to contain, among other things, classrooms, an art room and an assembly room on the School’s campus located at 1209 Texaco Road, Lexington, Kentucky 40508 (The “Campus”) and reimburse the School for costs already incurred in connection therewith; (II) acquire a parcel of real property adjacent to the Campus, raze or renovate the existing structure, and otherwise equip such lot for use by the School; (III) repay sums to JPMorgan Chase Bank, N.A. used to currently refund the School’s existing Lexington-Fayette Urban County Government Six Month Adjustable Rate Industrial Building Revenue Bonds, Series 1992 (Providence Montessori School, Inc. Project) in the approximate outstanding amount of \$405,000, the proceeds of which were used to finance the construction, installation and equipping of educational facilities on the Campus; and (IV) pay costs of issuance was given second reading with a public hearing being held.

The Mayor opened the public hearing. There being no citizens to appear before the Council, the Mayor declared the public hearing closed.

The resolution was ordered placed on file one week for public inspection.

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The following resolutions were given first reading. Upon motion of Mr. McChord and seconded by Ms. Shafer, the rules were suspended by unanimous vote. The resolutions were given second reading and passed by the following vote:

Aye: Shafer, Stevens, Stinnett, Wigginton, Brown, DeCamp, Ellinger,
Farmer, Gorton, Lane, McChord, Moloney, Myers, Scanlon ----- 14
Nay: ----- 0

A Resolution accepting the bid of L-M Asphalt Partners, Ltd., d/b/a/ Central Kentucky Asphalt in the amount of \$588,790.00 for resurfacing of county roads – 2005, and establishing a price contract for resurfacing of additional streets and roads for the Div. of Streets, Roads and Forestry.

A Resolution accepting the bid of Sewell Roofing establishing a price contract for roof maintenance and repair.

A Resolution ratifying the probationary civil service appointments of: Christopher Cord, Communications Shift Manager, Grade 116E, \$1,473.60 bi-weekly, in the Div. of Police, effective August 22, 2005, Cassandra Bunton, Communications Officer, Grade 111N, \$14.624 hourly, in the Div. of Police, effective August 22, 2005, Susan McKenna, Staff Assistant Sr., Grade 108N, \$16.226 hourly, in the Div. of Streets, Roads and Forestry, effective July 25, 2005, Margaret S. Caruso, Administrative Specialist Sr., Grade 112N, \$20.968 hourly, in the Div. of Parks, effective July 25, 2005, Shannon Wilson, Communications Officer, Grade 113N, \$15.176 hourly, in the Div. of Police, effective August 22, 2005, Michelle Gay, Communications Officer, Grade 113N, \$17.310 hourly, in the Div. of Police, effective August 8, 2005, Phillip Shelton, Equipment Operator Sr., Grade 109N, \$13.797 hourly, in the Div. of Streets, Roads and Forestry, effective July 25, 2005, Dewey Crowe, Director of Building Inspection, Grade 120E, \$2,982.56 bi-weekly, in the Div. of Building Inspection, effective August 8, 2005, David Jarvis, Director of Code Enforcement, Grade 119E, \$2,544.24 bi-weekly, in the Div. of Code Enforcement, effective August 8, 2005, Denise White, Administrative Officer, Grade 118E, \$2,144.40 bi-weekly, in the Chief Administrator's Office, effective July 25, 2005, James Baker, Heavy Equipment Technician, Grade 113N, \$17.791 hourly, in the Div. of Fleet Services, effective August 8, 2005, Levi Bourget, Engineering Technician Sr., Grade 113E, \$1,400.08 bi-weekly, in the Div. of Traffic Engineering, effective August 8, 2005, Sandra Lopez, Administrative Specialist Sr., Grade 112N, \$16.504 hourly, in the Div. of Building Maintenance & Construction, effective July 25, 2005, Teressa Gipson, Internal Auditor, Grade 118E, \$1,767.28 bi-weekly, in the Div. of Internal Audit, effective August 22, 2005, Diana Franklin, Staff Assistant, Grade 107N, \$15.168 hourly, in the Div. of Police, effective August 22, 2005, Brian Chitti, Laboratory Technician, Grade 109N, \$11.133 hourly, in the Div. of Sanitary Sewers , effective August 29, 2005, Christopher Aavatsmark II, Heavy Equipment Mechanic, Grade 108N, \$10.982 hourly, in the Div. of Fleet Services, effective August 22, 2005, Sharon Buford, Planning Technician, Grade 110N, \$12.576 hourly, in the Div. of Planning, effective August 22, 2005, Jason Thompson, Microcomputer Support Specialist, Grade 113N,

\$17.415 hourly, in the Div. of Computer Services, effective June 27, 2005, David Sullivan, Director of Government Communications, Grade 121E, \$3,313.04 bi-weekly, in the Div. of Government Communications, effective August 8, 2005, Thomas Martin, Planner, Grade 113E, \$1,652.96 bi-weekly, in the Div. of Planning, effective August 22, 2005, Jeffrey Carter, Community Corrections Lieutenant, Grade 114E, \$1,604.80 bi-weekly, in the Div. of Community Corrections, effective August 15, 2005, Darin Kelly, Community Corrections Lieutenant, Grade 114E, \$1,822.08 bi-weekly, in the Div. of Community Corrections, effective August 15, 2005, Dwight Hall, Community Corrections Lieutenant, Grade 114E, \$1,604.88 bi-weekly, in the Div. of Community Corrections, effective August 15, 2005, Antonio Deleon, Community Corrections Lieutenant, Grade 114E, \$1,604.88 bi-weekly, in the Div. of Community Corrections, effective August 15, 2005, Robert Howard, Community Corrections Sergeant, Grade 112N, \$21.598 hourly, in the Div. of Community Corrections, effective August 15, 2005, Shawn Campbell, Community Corrections Sergeant, Grade 112N, \$16.860 hourly, in the Div. of Community Corrections, effective August 15, 2005, Jennifer Lafferty, Community Corrections Sergeant, Grade 112N, \$15.606 hourly, in the Div. of Community Corrections, effective August 15, 2005, Tina Strange, Community Corrections Sergeant, Grade 112N, \$16.204 hourly, in the Div. of Community Corrections, effective August 15, 2005, Alfred Rawls, Community Corrections Sergeant, Grade 112N, \$20.570 hourly, in the Div. of Community Corrections, effective August 15, 2005, Margie Keller, Administrative Specialist, Grade 110N, \$18.584 hourly, in the Div. of Community Corrections, effective September 5, 2005; ratifying the permanent civil service appointments of: Jimmy Ross, Store Clerk, Grade 107N, in the Div. of Building Maintenance and Construction, effective June 27, 2005, Clarissa O. Arnold, Jon D. Bailey, Bradley R. Crabtree, William F. Davis, Daniel B. Houlihan, Jason M. Lewis, Francis D. Mattingly, Donna L. Shepherd, Alisha B. White, Gloria J. Wilson and Dustin A. Wynn, Community Corrections Officer, Grade 110N, in the Div. of Community Corrections, effective July 24, 2005, John Carter III, Public Service Supervisor, Grade 111N, in the Div. of Parks, effective May 28, 2005, Michael Lambert, Engineering Technician, Grade 111N, in the Div. of Engineering, effective August 14, 2005, Joe Howell, Park Designer, Grade 115E, in the Div. of Parks, effective May 22, 2005,

Crystal Clay, Administrative Specialist, Grade 110N, in the Div. of Parks, effective August 7, 2005, Meagan Taylor, GIS Specialist, Grade 110N, in the Div. of Engineering, effective August 22, 2005, David Harris, Treatment Plant Operator-Apprentice, Grade 107N, in the Div. of Sanitary Sewers, effective May 13, 2005, Jose' Rincon, Engineering Technician, Grade 111N, in the Div. of Sanitary Sewers, effective July 7, 2005, Arthur Lefevers, Security Officer, Grade 103N, in the Div. of General Services, effective July 24, 2005, Leroy Ballew, Equipment Operator Sr., Grade 109N, in the Div. of Solid Waste, effective June 13, 2005, Darayll Chestnut, Equipment Operator Sr., Grade 109N, in the Div. of Solid Waste, effective July 24, 2005, Jeffery Floyd, Equipment Operator Sr., Grade 109N, in the Div. of Solid Waste, effective June 27, 2005; ratifying the probationary sworn appointments of: Chadwick Bacon, Police Sergeant, Grade 315N, \$1,914.72 bi-weekly, in the Div. of Police, effective July 25, 2005, Kenneth Ridge, Fire Captain, Grade 316N, \$1,559.84 bi-weekly, in the Div. of Fire, effective July 25, 2005, Brian Strange, Arthur Ashley, and Brad Whittaker, Fire Lieutenant, Grade 315N, \$1,179.92 bi-weekly, in the Div. of Fire, effective July 25, 2005; ratifying the permanent sworn appointments of: Jason Wade, Police Officer, Grade 311N, in the Div. of Police, effective August 25, 2005, Aaron Alexander, Clayton Atchison, Duane Baillio, Margaret Campbell, Brad Chaney, Eric Crayner, Michelle Garner, Douglas Garth, William Greer, Harry Hazlett, Anthony Holman, Jackie Hoskins, Courtney Komara, Nathaniel Muller, Aaron Noel, Jerry Parsons, Todd Phillips, William Powers, Christopher Russell, Richard Russell, Kiota Sanford, Richard Sisk, Matthew Smith, Paul Stewart, Raymond Terry, Robert Thomas, Derrick Wallace, Noel Warren, Stephen Yoder, Jerry Zeigler, Police Officer, Grade 311N, in the Div. of Police, effective July 25, 2005, Matthew Silver, Police Officer, Grade 311N, in the Div. of Police, effective July 27, 2005, Edward Moore and Glenn Phillips, Fire Major, Grade 318E, in the Div. of Fire, effective July 10, 2005, Ronald Madden, Heraldo Bellot and Jeff Garris, Fire Captain, Grade 316N, in the Div. of Fire, effective July 10, 2005, Larrel Alley, Chris E. Ward and Mark Brown, Fire Lieutenant, Grade 315N, in the Div. of Fire, effective July 10, 2005; approving leave of absence for: Anthony Hill, Equipment Operator, Grade 108N, in the Div. of Sanitary Sewers, request a leave of absence without pay, effective July 6, 2005 through July 18, 2005, Willetta Mitchell, Public Service Worker, Grade 106N, in the Div. of Solid Waste,

request a leave of absence without pay, effective July 22, 2005 through September 5, 2005, Wanzella Richmond, Staff Assistant, Grade 107N, in the Div. of Community Development, request a 60 day leave of absence without pay, effective August 11, 2005 through November 2, 2005; approving the unclassified civil service appointment of: Heather Clark, Arborist Technician, Grade 112N, \$13.528 hourly, in the Div. of Streets, Roads and Forestry, effective August 15, 2005; approving the voluntary demotion of: Clarence Rutherford, Public Service Worker Sr., Grade 107N, to Public Service Worker, Grade 106n, \$11.316 hourly, in the Div. of Parks, effective July 11, 2005, Danny Brown, Equipment Operator Sr., Grade 109N, to Public Service Worker Sr., Grade 107N, \$14.758 hourly, in the Div. of Streets, Roads and Forestry, effective July 11, 2005.

A Resolution authorizing the Mayor to execute and submit a Grant Application to the Ky. Governor's Office of Local Development and to provide any additional information requested in connection with this grant application, which grant funds are in the amount of \$25,000.00 Commonwealth of Ky. Funds, and are for funding from the Cemetery Preservation Fund on behalf of Cove Haven, Inc. for the Cove Haven Cemetery.

A Resolution authorizing the Mayor to execute an Agreement with Tillinghast-Towers Perrin for annual Actuarial Reserve and Funding Analysis of the Property and Casualty Self-Insurance Program as of June 30, 2005 at a cost not to exceed \$25,000.00.

A Resolution authorizing the Mayor to execute Lease Agreements with Area Health Education Center, Bluegrass Community Action Agency, Community Reinvestment Alliance, Eldercrafters, Legal Aid of the Bluegrass, National Association for the Advancement of Colored People, Lexington-Fayette County Urban League, Inc., West End Community Empowerment Program, and LexCare, for space at the Black and Williams Neighborhood Center, at no cost to the Urban County Government.

A Resolution authorizing the Mayor to execute a Sublease Agreement with the Transit Authority of the Lexington-Fayette Urban County Government (LexTran), for office and training space in the Clark Street Annex and parking spaces in the Clark Street parking lot, effective August 15, 2005.

A Resolution authorizing the Mayor to execute a Federal Work-Study Program Agreement with the University of Ky. to provide work assignments to eligible students within the Urban County Government during FY 2006, at a cost not to exceed \$15,000.00.

A Resolution authorizing the Mayor to execute the Antenna Site License Agreement with SkyTel Corp., for pole space on traffic signal poles for a Wi-Fi Network, at no cost to the Urban County Government.

A Resolution authorizing the Mayor to execute Agreements with Smithtown Neighborhood Association, Inc. (\$500.00), Brucetown Neighborhood Association, Inc. (\$500.00), Amateur Athletic Union of the United States, Inc. (\$500.00), Meadow-Loudon Avenue Neighborhood Assoc. Inc. (\$500.00), Stonewall Equestrian Estates Association, Inc. (\$250.00), The Stone Creek Neighborhood Association, Inc. (\$500.00), and Fayette County Sheriff's Department (\$2,150.00), for the Office of the Urban County Council, at a cost not to exceed the sums stated.

A Resolution authorizing the Mayor to execute Lexington-Fayette County Health Department Contracts to receive services, for reimbursement to the Family Care Center for dental services provided to students at Harrison, Johnson, Tates Creek, and Arlington Elementary schools, at no cost to the Urban County Government.

A Resolution authorizing the Mayor to execute Change Order No. 2 to the contract with Kyova Electric, for Shillito/Athens "B"/Southend Sports Lighting, decreasing the contract price by the sum of \$1,662.00 from \$235,000.00 to \$233,338.00.

A Resolution changing the street name and property address numbers of 105 Salem Street to 339 North Limestone, and of 571 West Vine Street to 142 Cox Street; and changing the property address numbers of 3414, 3422, and 3815 Bowman Mill Road to 2800, 3414, and 3817 Bowman Mill Road, of 900, 1220, and 1224 South Broadway to 870, 1222, and 1250 South Broadway, of 571 Harry Street to 565 Harry Street, of 319-321 Henry Street to 321 Henry Street, and of 718 North Broadway to 716 North Broadway; all effective thirty days from passage.

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Upon motion of Ms. Shafer, seconded by Mr. Farmer and passed by unanimous vote, a Resolution authorizing the Mayor to execute a Release of Easement releasing a

portion of a storm sewer easement and authorizing the Dept. of Law to accept a storm sewer easement at 4375, 4381, and 4395 Harrodsburg Road was placed on the docket and given first reading.

Upon motion of Ms. Shafer and seconded by Mr. Farmer, the rules were suspended by unanimous vote. The resolution was given second reading and passed by the following vote:

Aye:	Shafer, Stevens, Stinnett, Wigginton, Brown, DeCamp, Ellinger, Farmer, Gorton, Lane, McChord, Moloney, Myers, Scanlon -----	14
Nay:	-----	0

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Upon motion of Mr. Ellinger, seconded by Ms. Shafer and passed by unanimous vote, a Resolution approving the FY 2005-2006 Plan for the Defense of Indigents between the Dept. of Public Advocacy and Fayette County Legal Aid, Inc. and authorizing the Mayor to sign the Plan approved by Council was placed on the docket and given first reading.

Upon motion of Mr. Ellinger and seconded by Ms. Shafer, the rules were suspended by unanimous vote. The resolution was given second reading and passed by the following vote:

Aye:	Shafer, Stevens, Stinnett, Wigginton, Brown, DeCamp, Ellinger, Farmer, Gorton, Lane, McChord, Moloney, Myers, Scanlon -----	14
Nay:	-----	0

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The following resolutions were given first reading and ordered placed on file one week for public inspection.

A Resolution accepting the bids of JFS Technologies, Baldwin & Sours, Inc., and Path Master establishing a price contract for traffic signal and control equipment-supplemental, for the Div. of Traffic Engineering.

A Resolution accepting the bid of Tebco of Kentucky, Inc. establishing a price contract for under tailgate salt spreaders, for the Div. of Parks.

A Resolution accepting the bid of The Trophy Center establishing a price contract for trophies, plaques and silver, for the Div. of Parks.

A Resolution accepting the bid of Ennis Paint, Inc. establishing a price contract for traffic paint, for the Div. of Traffic Engineering.

A Resolution accepting the bid of Central Associated Engineers, Inc. establishing a price contract for fiber walkout, for the Office of the CAO.

A Resolution accepting the bids of Bluegrass Uniforms, National Workwear, Inc., and Bluegrass Adv. Specialties establishing a price contract for uniforms for police (civilian employees), for the Div. of Police.

A Resolution accepting the bids of Radio-Electronic Equipment Co., Inc., Blackhawk Enterprises, Inc., and Data Connect Enterprise establishing a price contract for video equipment-traffic, for the Div. of Traffic Engineering.

A Resolution accepting the bid of Bradley Hook It Up Mobile, LLC establishing a price contract for vehicle steam cleaning.

A Resolution accepting the bids of Bluegrass Recreational Products, Inc., Hunter Kneppshield Co., Kidz Zone Playsystems, Inc., Premier Playscapes, Inc., and Tom Chesnut Excavation & Construction, LLC establishing a price contract for outdoor playground equipment and installation of outdoor playground equipment, for the Div. of Parks.

A Resolution accepting the bids of 4-J Enterprises, Inc., John F. Trompeter Co., Lexington Food Service, and Office Coffee Systems, Inc. establishing a price contract for concession products, for the Div. of Parks.

A Resolution accepting the bid of Lexington Industrial Co., Inc. establishing a price contract for motor and pump repair at various swimming pools.

A Resolution amending Resolution No. 342-2005 accepting the bid of Task Inc. in the amount of \$17,393.60, for Gleneagles/Masterson Station Greenway Restoration to correct the accounting due to end of year changes.

A Resolution authorizing and directing the Mayor to execute a Clinical Services Agreement with the University of Ky., Chandler Medical Center, College of Nursing, for Pediatric Nurse Practitioner Services at the Family Care Center, at a cost not to exceed \$301,392.00.

A Resolution authorizing the Mayor to execute a Clinical Services Agreement with the University of Ky., Chandler Medical Center, College of Medicine, Dept. of Pediatrics, for the provision of health care services to clients of the Family Care Center, at a cost not to exceed \$251,040.00.

A Resolution authorizing the Mayor to execute an Agreement with Bluegrass Regional Mental Health-Mental Retardation Board, Inc., d/b/a Comprehensive Care Center, for mental health services for the Adult and Juvenile Detention Centers, at a cost not to exceed \$690,660.78.

A Resolution authorizing the Mayor to execute a Purchase of Service Agreement with the Lexington Public Library Board, for services to the community, at a cost not to exceed \$10,826,460.

A Resolution authorizing the Mayor to execute an Agreement with Metro Group Homes, Inc., for operation of the M.A.S.H. Drop Inn Facility, at a cost not to exceed \$330,000.00 in grant funds.

A Resolution authorizing the Mayor to execute an Agreement with Volunteers of America of Ky., Inc., for emergency housing for homeless families, at a cost not to exceed \$18,000.00, to be paid directly to the Lexington-Fayette Urban County Housing Authority on behalf of Volunteers of America of Ky., Inc., for rental and maintenance of emergency housing units for the homeless.

A Resolution authorizing the Mayor to execute a Rental and Maintenance Agreement for thirty-six (36) months with U.S. Bancorp Business Equipment Finance Group, for rental and maintenance of a Konica Bizhub #7228 copier at the Div. of Parks-Southbase location, at an annual cost not to exceed \$1,854, subject to sufficient funds being appropriated in future fiscal years.

A Resolution authorizing the Mayor to execute Change Order No. 1 to the contract with Kyova Electric, for Shillito/Athens "B"/Southend Sports Lighting, decreasing the contract price by the sum of \$800.00 from \$235,800.00 to \$235,000.00.

A Resolution authorizing the Mayor to execute Change Order No. 1 to the contract with Central Rock Mineral Co., for Parkers Mill Road Improvements at Cardinal Run Park, increasing the contract price by the sum of \$4,210.45 from \$395,878.87 to \$400,089.32.

A Resolution authorizing the Mayor to execute a Certificate of Consideration and to accept a Deed conveying permanent sanitary sewer and temporary construction easements from O' Nan, LLC, located at 613 West Third Street, for the North Elkhorn

Force Main Project, and authorizing payment in the amount of \$3,950.00, plus usual and appropriate closing costs.

A Resolution authorizing the Mayor to execute a Certificate of Consideration and to accept a Deed conveying permanent sanitary sewer and temporary construction easements from Bluegrass Stockyards, LLC, located at 172 South Forbes Road, for the North Elkhorn Force Main Project, and authorizing payment in the amount of \$11,675.00, plus usual and appropriate closing costs.

A Resolution authorizing the Mayor to execute a Certificate of Consideration and to accept a Deed conveying permanent sanitary sewer and temporary construction easements from O' Nan, LLC, located at 601-603 West Third Street, for the North Elkhorn Force Main Project, and authorizing payment in the amount of \$3,800.00, plus usual and appropriate closing costs.

A Resolution authorizing the Mayor to execute a Certificate of Consideration and to accept a Deed conveying permanent sanitary sewer and temporary construction easements from O' Nan, LLC, located at 605 West Third Street, for the North Elkhorn Force Main Project, and authorizing payment in the amount of \$1,900.00, plus usual and appropriate closing costs.

A Resolution authorizing the Mayor to execute a Certificate of Consideration and to accept a Deed conveying permanent sanitary sewer and temporary construction easements from O' Nan, LLC, located at 609 West Third Street, for the North Elkhorn Force Main Project, and authorizing payment in the amount of \$2,225.00, plus usual and appropriate closings costs.

A Resolution authorizing the Mayor to execute a Certificate of Consideration and to accept a Deed conveying permanent sanitary sewer and temporary construction easements from O'Nan, LLC, located at 607 West Third Street, for the North Elkhorn Force Main Project, and authorizing payment in the amount of \$1,900.00, plus usual and appropriate closing costs.

A Resolution authorizing the Mayor to execute a Certificate of Consideration and to accept a Deed conveying permanent sanitary sewer and temporary construction easements from O' Nan, LLC, located at 611 West Third Street, for the North Elkhorn

Force Main Project, and authorizing payment in the amount of \$2,550.00, plus usual and appropriate closing costs.

A Resolution authorizing the Mayor to execute a Certificate of Consideration and to accept a Deed conveying a temporary construction easement from Lexington Properties, LLC, located at 207 Legends Lane, for the North Elkhorn Force Main Project, and authorizing payment in the amount of \$14,475.00, plus usual and appropriate closings costs.

A Resolution authorizing the Mayor to execute a Certificate of Consideration and to accept a Deed conveying permanent sanitary sewer and temporary construction easements from Donald and Ruth Schilling, located at 1633 Old Paris Road, for the North Elkhorn Force Main Project, and authorizing payment in the amount of \$1,025.00, plus usual and appropriate closing costs.

A Resolution authorizing the Mayor to execute a Certificate of Consideration and to accept a Deed conveying permanent sanitary sewer and temporary construction easements from Raymond and Glenda O'Neal, located at 1496-1498 North Broadway, for the North Elkhorn Force Main Project, and authorizing payment in the amount of \$14,475.00, plus usual and appropriate closings costs.

A Resolution authorizing the Mayor to execute a Certificate of Consideration and accept a Deed of permanent storm sewer easement and temporary construction easement from Rory and Meredith Mendez located at 135 Suburban Court, for the Dantzler Arcadia Cherokee Park Phase II Project, and authorizing payment in the amount of \$2,850.00, plus usual and appropriate closing costs.

A Resolution amending Section 1(b) of Resolution No. 252-2005 to change the reference for the current street address from 301 East Vine Street to 271 East Vine Street.

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A Resolution directing that the Recommendations sent to the Ky. Dept. of Intergovernmental Programs for the 2005-2006 Bond Program shall be the 12th Street, Liberty Road, and Clays Mill Road Projects, and resurfacing projects throughout Fayette County, with an estimated cost of \$3.4 million was given first reading.

Mr. Scanlon stated that he believed more discussion was needed on the resolution.

Mr. Scanlon made a motion, seconded by Mr. Stinnett and passed by majority vote, to not suspend the rules for the resolution.

The resolution was ordered placed on file one week for public inspection.

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Upon motion of Mr. Ellinger, seconded by Mr. DeCamp and passed by unanimous vote, the communications from the Mayor were approved and are as follows: (1) recommending the appointment of Mike Owens to the Board of Adjustment with a term to expire 7-1-2006. Mr. Owens will fill the unexpired term of Sarah Gregg; (2) recommending the appointment of Dewey Crowe, Director of the Div. of Building Inspection Representative, to the Contractor Registration Review Board as an ex-officio; (3) recommending the appointment of Rachel Holtzclaw to the Community Partnership Action Council with a term to expire 6-13-2006. Ms. Holtzclaw will fill the unexpired term of Tugce Menguc as Under the Age 18 Representative; (4) recommending the appointment of Margaret Long to the Environmental Hearing Commission with a term to expire 6-1-2007. Ms. Long will fill the unexpired term of Thomas Sturgill; (5) recommending the appointment of Alex Martin, Horse Industry Representative, to the Greenspace Commission with a term to expire 7-18-2009; and (6) recommending the reappointments of Walter May, Thomas C. Sturgill and Karen Walker to the Parking Citation Enforcement Hearing Board with terms to expire 8-21-2006.

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The following communications were received from the Mayor for information only: (1) Resignation of Andrew Myatt, Community Corrections Officer, Grade 110N, in the Div. of Community Corrections, effective July 12, 2005; (2) Resignation of Richard Dugas, MMRS Project Coordinator, Grade 114E, in the Div. of Environmental and Emergency Management, effective July 5, 2005; (3) Resignation of Gary D. Houck, Police Trainee, Grade 311N, in the Div. of Police, effective July 8, 2005; (4) Resignation of Daniel J. Ashley, Police Trainee, Grade 311N, in the Div. of Police, effective July 8, 2005; (5) Resignation of Matthew D. Clawson, Police Trainee, Grade 311N, in the Div. of Police, effective July 6, 2005; (6) Resignation of Charles W. Taylor, Public Service Worker Sr., Grade 107N, in the Div. of Sanitary Sewers, effective June 8, 2005; (7) Resignation of Marvin A. Clayborne, Equipment Operator Sr., Grade 108N, in the Div. of Sanitary Sewers, effective June 23, 2005; (8) Resignation of Gordon Holt, Firefighter, in

the Div. of Fire, effective July 9, 2005; (9) Resignation of Nicole Cox, Community Corrections Officer, Grade 110N, in the Div. of Community Corrections, effective July 27, 2005; (10) Resignation of John McRannolds, Community Corrections Officer, Grade 110N, in the Div. of Community Corrections, effective July 21, 2005; (11) Resignation of Elza Harlow, Community Corrections Officer, Grade 110N, in the Div. of Community Corrections, effective July 26, 2005; (12) Resignation of Robert Miracle, Social Worker Sr., Grade 113E, in the Div. of Youth Services, effective August 9, 2005; (13) Resignation of Nicholas Vanover, Community Corrections Officer, Grade 110N, in the Div. of Community Corrections, effective August 8, 2005; (14) Resignation of Lindsay Caudill, Staff Assistant, Grade 107N, in the Div. of Police, effective August 2, 2005; (15) Resignation of La'Yvonne Sensabaugh, Social Worker, Grade 111E, in the Div. of Youth Services, effective July 29, 2005; (16) Resignation of Andre Kean, Public Service Worker, Grade 106N, in the Div. of Parks, effective July 29, 2005; (17) Resignation of Robert Maynard, Police Officer, Grade 311N, in the Div. of Police, effective September 6, 2005; (18) Resignation of Jeannette Relford, Staff Assistant Sr., Grade 108N, in the Div. of Family Services, effective August 15, 2005; (19) Resignation of Jimmy Bowling, Firefighter, Grade 311N, in the Div. of Fire, effective July 31, 2005; (20) Resignation of Robert Tolley, Community Corrections Officer, Grade 110N, in the Div. of Community Corrections, effective July 29, 2005; and (21) Resignation of Tiffany Pratt, Certified Medical Assistant, Grade 108N, in the Div. of Family Services, effective August 5, 2005.

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The reports from (1) the Div. of Sanitary Sewers for the month of June, 2005 and (2) the Div. of Sanitary Sewers for the month of July, 2005.

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Mr. Wigginton spoke about the number of Community Corrections Officers and Police Officers who have resigned, and asked the Mayor for an update on that.

The Mayor stated that Mr. Rick Curtis, Administrative Officer, Dept. of Public Safety, could give an update at Tuesday's Work Session.

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Mr. Bernard McCarthy, 515 Harry St., spoke in support of developers paying building impact fees to cover some of the costs to the city of new development.

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Mr. Robert Dalton, 520 Douglas Avenue, spoke about a petition circulated by the Arbors Neighborhood Association concerning an intersection, and on the smoking ban.

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State Representative Jesse Crenshaw thanked the Mayor and Council for the approval of the resolution for the grant application for funding for the Cove Haven Cemetery.

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The meeting adjourned at 8:10 p.m.

Clerk of the Urban County Council